IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

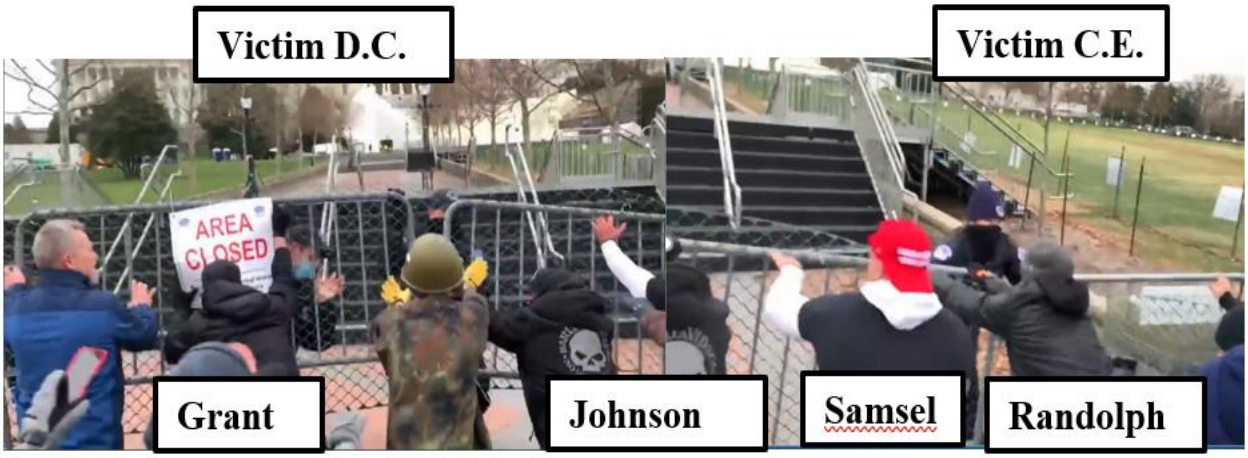
UNITED STATES OF AMERICA

v.
D-1 RYAN SAMSEL
D-2 JAMES TATE GRANT
D-3 PAUL RUSSELL JOHNSON
D-4 STEPHEN CHASE RANDOLPH
Defendants.

Case No. 1:21-cr-00537-TJK
Case No. 1:21-cr-00332-JMC

NOTICE UNDER LOCAL CRIMINAL RULE 40.5(b)(3) OF RELATED CASES AND INTENT TO SUPERSEDE INDICTMENT

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully files notice, pursuant to Local Criminal Rule 40.5(b)(3), that *United States v. Ryan Samsel and James Tate Grant*, No. 21-cr-00537 (TJK) and *United States v. Paul Russell Johnson and Stephen Chase Randolph*, No. 21-cr-00332 (JMC) are related cases. These four offenders are all currently charged with aiding and abetting one another to commit the same crimes, at the same time and location, against the same victim, Officer C.E. Their collective action – that is violently picking up and pushing a metal barricade at United States Capitol Police Officers, who were manning the barricade in an effort to protect and defend the U.S. Capitol and the certification of the Electoral College vote – opened up the floodgates to the Capitol for the thousands of rioters who followed. Their collective action led to at least one U.S. Capitol Police Officer sustaining injuries that have required continual



medical care since January 6.

Samsel and Grant were the first two to approach the restricted area just ahead of the rest of the crowd on January 6, and Grant waved others to follow them. All four defendants then took up positions along the same barrier consisting of attached crowd control barriers, and they acted in concert to lift and push the barricade violently onto the officers stationed on the other side of the barricade. At least one of those officers, Officer C.E. suffered injuries as a result of the defendants' collective actions. Additionally, after they pushed down the barricade, Randolph physically attacked Officer D.C further.

Defendants Samsel and Grant are currently joined together as co-defendants before the Honorable Timothy J. Kelly. The majority of the charges against them are for the Peace Circle incident described above. (No. 21-cr-00537 (TJK), R. 69: Dec. 15, 2021, Second Superseding Indictment). Defendants Johnson and Randolph are presently joined together as co-defendants before the Honorable Jia M. Cobb.[1] All of the charges against them relate to the incident at Peace Circle and surrounding circumstances. (No. 21-cr-332 (JMC), R. 61: Dec. 1, 2021, Superseding Indictment).[2]

Because the primary criminal conduct alleged against these individuals overlaps both temporally and geographically, and the evidence against them will be mutually admissible, including the testimony of witnesses and the victims, the government is preparing to charge this

[1] On January 7, 2022, Johnson and Randolph's case was reassigned from the Honorable Paul L. Friedman to the Honorable Jia M. Cobb. *See United States v. Johnson et al.*, No. 21-cr-332 (R. 75).

[2] The Government takes no position on which Judge should be assigned the cases if joined. Johnson and Randolph were initially indicted in April, 2021; Samsel was indicted in August, 2021 and Grant indicted in December, 2021. The Government notes that defendant Samsel has made allegations concerning his medical conditions and treatment in federal facilities, and there have been numerous motions, status reports, and hearings in that case. Samsel is currently in a unique position in that he has been temporarily released to state custody with a federal detainer following a defense motion related to his alleged medical concerns.

group[3] in a single indictment and to present evidence against them in a single trial. [4]

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[3] The government anticipates adding a fifth uncharged subject, who also participated in the Peace Circle incident described above, and who also pushed and pulled on the barricades, resulting in injuries to Officer C.E., to this indictment.

[4] Other Capitol Riot cases involving conduct by groups of defendants have been joined. *See, e.g., United States v. Federico Klein et al.*, No. 21-cr-236 (R. 45) *and United States v. McCaughey, et al.*, No. 21-cr-40 (TNM). In *Klein* and *McCaughey*, the government filed notice under Local Criminal Rule 57.12(b)(3) of Related Cases regarding nine subjects charged with assaultive conduct on law enforcement officers in and around the first landing of the Lower West Terrace as well as the Lower West Terrace archway. One subject, Klein, was charged alone in a case before the Honorable John D. Bates, while the other eight subjects were charged in one case before the Honorable Trevor N. McFadden. Following the filing of a superseding indictment joining the nine defendants, the *Klein* case was reassigned to the Honorable Trevor N. McFadden.

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Certificate of Service

I hereby certify that on January 12th 2022, I electronically filed the Notice Under Local Criminal Rule 40.5(b)(3) of Related Cases and Intent to Supersede Indictment with the Clerk of the Court of the District of Columbia using the ECF system, which will send notification of such filing to defense counsel via electronic mail.

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